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Filing date: **09/28/2004**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91125743
Party	Defendant UGI HAVC ENTERPRISES, INC.
Correspondence Address	BARBARA L. DELANEY PEPPER HAMILTON LLP 3000 TWO LOGAN SQUARE EIGHTEENTH AND ARCH STREETS PHILADELPHIA, PA 19103-2799
Submission	Stipulation and Order Withdrawing Applicant/Respondents's Notice of Deposition of Jona Order
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Date	09/28/2004
Attachments	UGI_Stip.PDF (3 pages)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

THE SERVICEMASTER COMPANY,	:	
	:	
Opposer/Petitioner,	:	Opposition No.: 91/125,743
	:	Appln. Serial No. 76/237,328
	:	
v.	:	Opposition No.: 91/152,104
	:	Appln. Serial No. 76/166,568
	:	
	:	Cancellation No. 92/041,147
UGI HVAC ENTERPRISES, INC.	:	Registration No. 2,591,190
	:	
Applicant/Respondent.	:	

Commissioner of Trademarks
Box TTAB -- NO FEE
2900 Crystal Drive
Arlington, VA 22202-3513

**STIPULATION AND ORDER WITHDRAWING APPLICANT/RESPONDENT'S
NOTICE OF DEPOSITION OF JONATHAN P. WARD AND OPPOSER/PETITIONER'S
MOTION FOR A PROTECTIVE ORDER**

WHEREAS, on August 16, 2004, Applicant/Respondent UGI HVAC Enterprises, Inc. ("UGI" or "Applicant") noticed the deposition of the Chief Executive Officer of Opposer/Petitioner The ServiceMaster Company ("Opposer" or "ServiceMaster"), Jonathan P. Ward, for September 23, 2004;

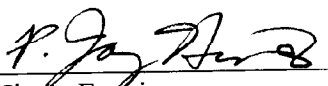
WHEREAS, on September 10, 2004, ServiceMaster filed a motion for a protective order to prevent discovery deposition of Jonathan P. Ward;

WHEREAS, in its motion for a protective order, ServiceMaster argued that UGI should, at a minimum, proceed with the deposition of Mitchell T. Engel, Chief Marketing Officer for ServiceMaster, currently scheduled for October 7, 2004, before seeking to depose Mr. Ward;

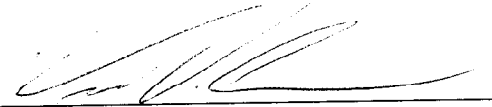
WHEREAS, UGI has informed ServiceMaster that it will withdraw its notice of deposition for Jonathan P. Ward, without prejudice, reserving the right to notice his deposition again following the deposition of Mitchell T. Engel;

WHEREAS, ServiceMaster accordingly is willing to withdraw its motion for a protective order to prevent discovery deposition of Jonathan P. Ward, without prejudice, it is this 27th day of September 2004, hereby STIPULATED AND AGREED that:

1. UGI's notice for deposition of Jonathan P. Ward is withdrawn without prejudice.
2. ServiceMaster's motion for a protective order to prevent discovery deposition of Jonathan P. Ward is withdrawn without prejudice.


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Oblon, Spivak, McClelland, Maier & Neustadt, P.C.
1940 Duke Street
Alexandria, Virginia 22314

Attorneys for Opposer/Petitioner
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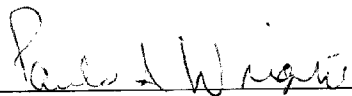
APPROVED AND SO ORDERED, this ____ day of _____, 2004.

TTAB Board

CERTIFICATE OF SERVICE

I, Paula Anne Wright, hereby certify that on September 28, 2004, I caused a true and correct copy of the foregoing Stipulation and Order Withdrawing Applicant/Respondent's Notice of Deposition of Jonathan P. Ward and Opposer/Petitioner's Motion for a Protective Order to be served via First Class Mail to:

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Alexandria, Virginia 22314
*Counsel for Opposer,,
The Servicemaster Company*

By: 
Paula Anne Wright